



Docket No.: 04536/019001
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Takayuki Ono

Application No.: 10/625,005

Confirmation No.: 8435

Filed: July 23, 2003

Art Unit: 2627

For: APPARATUS AND METHOD FOR
CONTROLLING A FOCUS JUMP AND
LEVEL THEREOF IN A MULTILAYER
OPTICAL DISK

Examiner: G. Patel

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 CFR § 1.181 (a)

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Abandonment of the above case for failure to timely pay the required Issue Fee and Publication Fee, the Applicant respectfully requests that the holding of abandonment be withdrawn. Applicant submits that the Issue Fee and Publication Fee were properly filed on Wednesday, June 20, 2007. A copy of the United States Postal Express Mail Airbill No. EM029486898US, along with the papers filed with the Issue Fee payment are enclosed with this request. Also, enclosed is a tracking receipt printed from the United States Postal Service website which shows the Issue Fee payment was delivered on June 21, 2007, to the U.S. Patent and Trademark Office and was signed for by A. Young.

Accordingly, because the Issue Fee and Publication Fee were paid within the three-month period to reply, withdrawal of the holding of abandonment and examination on the merits are respectfully requested.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0591, under Order No. 04536/019001.

Dated: September 13, 2007

Respectfully submitted,

By 

Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600
(713) 228-8778 (Fax)

SEP 13 2007



Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2007

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)1,700.00

Complete if Known

Application Number	10/625,005-Conf. #8435
Filing Date	July 23, 2003
First Named Inventor	Takayuki Ono
Examiner Name	G. Patel
Art Unit	2627
Attorney Docket No.	04536/019001

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 50-0591 Deposit Account Name: Osha · Liang LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

Charge fee(s) indicated below Charge fee(s) indicated below, except for the filing fee
 Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 Credit any overpayments

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>	
	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>
Utility	300	150	500	250	200	100
Design	200	100	100	50	130	65
Plant	200	100	300	150	160	80
Reissue	300	150	500	250	600	300
Provisional	200	100	0	0	0	0

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 (including Reissues)

<u>Small Entity</u>	
<u>Fee (\$)</u>	<u>Fee (\$)</u>
50	25
200	100
360	180

Each independent claim over 3 (including Reissues)

Multiple dependent claims

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>	<u>Multiple Dependent Claims</u>
- 29 =	x	=		<u>Fee (\$)</u> <u>Fee Paid (\$)</u>

HP = highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 6 =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/50 =	(round up to a whole number) x	=	<u>Fees Paid (\$)</u>

4. OTHER FEE(S)	Fees Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): 1501 Utility issue fee	1,400.00
1504 Publication fee for early, voluntary, or normal ...	300.00

SUBMITTED BY

Signature	Registration No. (Attorney/Agent)	Telephone
Jonathan P. Osha	33,986	(713) 228-8600
Name (Print/Type)	Date	June 20, 2007



Application No. (if known): 10/625,005

Attorney Docket No.: 04536/019001

Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EM029486898US in an envelope addressed to:

MS Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

on June 20, 2007
Date



Signature

Sarah J. Buta

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600

Telephone Number

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Fee Transmittal (1 page)
Payment by credit card. Form PTO-2038 is attached (1 page)
Transmittal Letter (2 pages)
Part B – Fee(s) Transmittal (1 page)
Charge \$1,700.00 to credit card
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SEP 13 2007

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Date



Signature

Sarah J. Buta

Typed or printed name of person signing Certificate

Registration Number, if applicable

(713) 228-8600

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Transmittal Letter (2 pages)

Request to Withdraw Holding of Abandonment w/ Attachments (10 pages)

Return Receipt Postcard



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TRANSMITTAL LETTER

MS Issue Fee
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Alexandria, VA 22313-1450

Dear Sir:

Enclosed are the following items for filing in connection with the above-referenced Patent Application:

1. Request to Withdraw Holding of Abandonment (2 pages);
2. Copy of U.S. Express Mail Airbill No. EM029486898US (1 page);
3. Copy of Issue Fee Filing Package filed on June 20, 2007(6 pages); and
4. Copy of tracking receipt from USPS website showing delivery date and proof of signature.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith to our Deposit Account No. 50-0591, under Order No. 04536/019001.

Dated: September 13, 2007

Respectfully submitted,

By 
Jonathan P. Osha
Registration No.: 33,986
OSHA · LIANG LLP
1221 McKinney St., Suite 2800
Houston, Texas 77010
(713) 228-8600

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Mo.	Day	AM	Employee Signature
Delivery Date	Time	AM	Employee Signature
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